

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

AMENDED SUPPLEMENTAL ORDER REGARDING DOCKET NO.: 00/0516-0815

ELECTIONS, UNIT: VC-1853

(hereinafter "Subject Drilling Unit")

REPORT OF BOARD


FINDINGS AND ORDER

1. This Supplemental Order is entered by the Board sua sponte in the form authorized by the Board at its hearing held at 9:00 a.m. on October 20, 1992, Board of Supervisors Room, Courthouse, Grundy, Virginia, and pursuant to authority granted to the Board's Chairman at the hearing of the Virginia Gas and Oil Board on June 16, 1992, at 9:00 a.m. at the Rhododendron Restaurant at the Breaks Interstate Park, Breaks, Virginia; and this Supplemental Order is being recorded for the purpose of (1) complying with the requirement of the Virginia Gas and Oil Board Regulations, 4 VAC 25-160.70C by supplementing the Order previously issued by the Board for subject Docket on September 7, 2000 and recorded at Book 514, Page 096 in the Office of the Clerk of Circuit Court, Russell County, Virginia on September 7, 2000 (herein "Board Order") to complete the record regarding elections. The Board Order pooled all interest in Subject Drilling Unit including those of the Respondents more particularly set forth and identified by the Designated Operator in the affidavits attached hereto and made a part hereof. The Board finds it has jurisdiction over the subject matter pursuant to the provisions of the Virginia Gas and Oil Act, § 45.1-361.1 et seq., Virginia Code, 1950 as amended.
2. Findings: The Board finds that:
 - (a) The Board Order directed Equitable Production Company, (herein the Designated Operator"), to mail copies of the Board Order to all respondents whose interest, if any, were pooled by said Board Order;
 - (b) The designated operator filed its affidavit of mailing dated September 18, 2000, disclosing that it had mailed a correct copy of the Board's Order to all Respondents whose interest, if any, were pooled by said Board Order;
 - (c) The Board Order required each Respondent whose interest, if any, were pooled by the terms of said Board Order to make his or her election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the Designated Operator has filed its affidavit dated December 13, 2000, in accordance with § 7.C of the Virginia Gas and Oil Board Regulations and 4 VAC 25-160.70C (herein "Affidavit of Election"), wherein it has, for each Respondent whose interest, if any, were pooled by said Board Order, stated: (i)

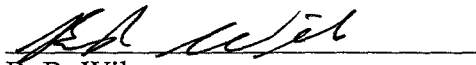
whether each Respondent has made or failed to make a timely election; (ii) the nature of the election made, if any; (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interest, estates and claims in Subject Drilling Unit to the Designated Operator;

- (d) The Board Order further required the Designated Operator, after expiration of the election period, to file with the Board a statement of the interests subject to escrow under the terms and provisions of the Board Order, in light of the elections made or deemed to have been made (herein "Statement of Interests"); that the Designated Operator furnished said Statement of Interests as part of its Affidavit of Election. A copy of which is attached hereto as Exhibit B;
 - (e) Current Board standards requiring the escrow of funds and the Board's agreement with its Escrow Agent, Wachovia Bank, Corporate Trust, PA 1328, 123 Broad Street, Philadelphia, PA 19109-1199, (888) 396-0853, Attn: Rachel Rafferty, or any successor named by the Board, require the entry of a Supplemental Order establishing of record the elections made or deemed to have been made and specifying the sums or percentage thereof subject to escrow. Current Board escrow standards were made applicable to Subject Drilling Unit by a Board Order dated December 23, 1992.
3. Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2 above and the annexed Affidavits, any funds subject to escrow and instructs the Escrow Agent, Wachovia Bank, Corporate Trust PA 1328, 123 Broad Street, Philadelphia, PA 19109-1199, (888) 396-0853, Attn: Rachel Rafferty, or any successor named by the Board to establish interest-bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in said affidavits to receive such funds and account to the Board therefore.
 4. Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or its Attorney shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that true and correct copy of this Order to each person whose interest or claim is subject to escrow and whose address is known.
 5. Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.
 6. Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 19th day of September, 2006 by a majority of the Virginia Gas and Oil Board.



Chairman, Benny R. Wampler

DONE AND PERFORMED THIS 19th day of September, 2006 by Order of this Board.


B. R. Wilson
Principal Executive to the Staff
Virginia Gas and Oil Board

STATE OF VIRGINIA)
COUNTY OF ~~WISE~~ Washington


Acknowledged on this 19th day of September, 2006, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


~~Susan G. Garrett~~
Notary Public

My commission expires: 9/30/09

STATE OF VIRGINIA)
COUNTY OF ~~WISE~~ Washington

Acknowledged on this 19th day of September, 2006, personally before me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly sworn did depose and say that he is Principal Executive to the Staff Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


Diane J. Davis
Notary Public

My commission expires: 9/30/09

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>
<u>Gas Estate Only</u>				
1	Nancy E. Counts Estate c/o Mildred Miller 15349 Skyland Avenue Bristol, VA 24202	Leased-EPC 243912L01	20.317500%	11.9400
	Tressa K. Patrick, Single Route 2 Box 282 Rustburg, VA 24588	Leased-EPC 243912L02	1.015875%	0.5970
	Cecil L. Kiser & Julie A. Kiser, H/W 2133 Summers Avenue Streetsboro, OH 44241	Leased-EPC 243912L03	10.158750%	5.9700
	Wilma Johnson Porter & Dale C. Porter, Jr., W/H Route 2 Box 282 Rustburg, VA 24588	Leased-EPC 243912L04	1.015875%	0.5970
	Alice B. Keen, Widow 4741 Showalter Rd NW Roanoke, VA 24017	Leased-EPC 243912L05	5.079375%	2.9850
	Leon Kiser & Janice Kiser, H/W 315 Hill Road Bristol, TN 37620	Leased-EPC 243912L06	4.063500%	2.3880
	Gaynell Johnson Sampson & Carl Edward Sampson, W/H Route 3 Box 628 Rustburg, VA 24588	Leased-EPC 243912L07	1.015875%	0.5970
	Diana D. Kiser, Widow Route 4 Box 654 North Tazewell, VA 24630	Leased-EPC 243912L08	10.158750%	5.9700
	Samuel J. Breeding Jr. & Betty Sue Breeding, H/W P O Box 293 Grundy, VA 24614	Leased-EPC 243912L09	5.079375%	2.9850
	Lillian B. Crane & Percy V. Crane, W/H 6380 Virgil H Goode Hwy Rocky Mount, VA 24151-3384	Leased-EPC 243912L10	5.079375%	2.9850
	Edith K. Wockenfuss & David E. Wockenfuss, W/H 207A 12th Street Clermont, FL 34711	Leased-EPC 243912L11	4.063500%	2.3880
	Freddy Johnson & Darlene Johnson, H/W P O Box 503 Montvale, VA 24122	Leased-EPC 243912L12	1.015875%	0.5970

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>
	Sharon Dickson, Single 295 Bethel Dr #39 Bristol, TN 37620	Leased-EPC 243912L13	1.354500%	0.7960
	Dorothy C. Kiser, Widow Attn: Larry Kiser P O Box 1565 Bristol, TN 37621	Leased-EPC 243912L14	4.063500%	2.3880
	Ruby Marie Breeding Johnson & William C. Johnson, W/H 5519 Chenault Ave Orlando, FL 32839	Leased-EPC 243912L15	1.693125%	0.9950
	Blaine Owens & Robin M. Owens, H/W 103 Jefferson Drive Bristol, VA 24201	Leased-EPC 243912L16	1.354500%	0.7960
	Deborah L. Tomlinson & Terry L Tomlinson, W/H 132 North Clay St Coldwater, MI 49036	Leased-EPC 243912L17	1.693125%	0.9950
	Larry D. Breeding & Kathy A. Breeding, H/W 1050 Granger Drive Jacksonville, FL 32221	Leased-EPC 243912L18	1.693125%	0.9950
	Lana O. Duty & Sonny D. Duty, W/H 5950 Valley Road Springfield, TN 37172	Leased-EPC 243912L19	1.354500%	0.7960
2	Pittston Company c/o Pine Mountain Oil & Gas, Inc. Attn: Richard Brillhart P. O. Box 5100 Lebanon, VA 24226	Leased-EPC 241490L 01 T-483	8.760000%	5.1500
3	Pittston Company c/o Pine Mountain Oil & Gas, Inc. Attn: Richard Brillhart P. O. Box 5100 Lebanon, VA 24226	Leased-EPC 241490L 01 T-430	3.630000%	2.1300
4	Pittston Company c/o Pine Mountain Oil & Gas, Inc. Attn: Richard Brillhart P. O. Box 5100 Lebanon, VA 24226	Leased-EPC 241640L01 T2-177	2.890000%	1.7000
5	Nettie G. Kiser Wilson, Widow P. O. Box 294 Cleveland, VA 24225	Leased-EREC 244332L 01	0.063889%	0.0376
	Roland Delmer Kiser, Single P. O. Box 194 Cleveland, VA 24225	Unleased	0.063889%	0.0376

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>
	Ruby Ethel Kiser Estate c/o Kennie O'Dell Kiser P O Box 62 Cleveland, VA 24225	Leased-EREC 244332L 09	0.063889%	0.0376
	Kennie O'Dell Kiser & Thelma Kiser, H/W P. O. Box 62 Cleveland, VA 24225	Leased-EREC 244332L 11	0.063889%	0.0376
	Alma Simerly, Widow P. O. Box 1624 Honaker, VA 24260	Leased-EREC 244332L 15	0.063889%	0.0376
	Delphia Wilson & Roy Lee Wilson, W/H HC 4 Box 304 Bee, VA 24217	Leased-EREC 244332L 29	0.009127%	0.0054
	Alden Wilson & Ella Wilson, H/W 1335 E. Old Philadelphia Road Elkton, MD 21921	Unleased	0.009127%	0.0054
	Curtis Wilson & Connie Wilson, H/W 1335 E. Old Philadelphia Road Elkton, MD 21921	Unleased	0.009127%	0.0054
	Lonnie Wilson & Pam Wilson, H/W 462 Jolly Road Lexington, NC 27292	Unleased	0.009127%	0.0054
	Giles Wilson & Charlotte Wilson, H/W Route 1 Box 338 Cleveland, VA 24225	Unleased	0.009127%	0.0054
	Johnny Lee Rosenbaum, Single 1730 Clifton Road Bristol, TN 37621	Unleased	0.003042%	0.0018
	Joe Canter Address Unknown	Unleased	0.003042%	0.0018
	Alicia Rosenbaum, single 18484 Woodland Hills Road Abingdon, VA 24210	Unleased	0.003042%	0.0018
	Wanda Loudermilk Jones 995 E. Old Philadelphia Road Elkton, MD 21921	Unleased	0.002282%	0.0013
	Carolyn Rinehart & Richard Rinehart, W/H 1656 Pricipia Road Port Deposit, MD 21904	Unleased	0.002282%	0.0013

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>
	Sharon Jones & Bobby Jones, W/H 995 E. Old Philadelphia Road Elkton, MD 21921	Unleased	0.002282%	0.0013
	Randall Head & Teresa A. Head, H/W 1279 Old Elk Neck Road Elkton, MD 21921	Unleased	0.002282%	0.0013
	Dallas Brooks Kiser, Single Star Route Box 25 Cleveland, VA 24225	Leased-EREC 244332L 13	0.383333%	0.2256
	Ama Kiser Vance, Widow Route 1 Box 427 Bluefield, VA 24605	Unleased	0.047917%	0.0282
	James Kiser & Christine Kiser, H/W 719 St. Paul Street Newport News, VA 23605	Unleased	0.047917%	0.0282
	Nellie Kiser Wells, Single Address Unknown	Unleased	0.047917%	0.0282
	Lila Elizabeth Kiser, Single 2416 Lamberts Avenue Richmond, VA 23234	Unleased	0.047917%	0.0282
	Margaret Marie Kiser Heirs Address Unknown	Unleased	0.047917%	0.0282
	Elaine Craft Heirs Address Unknown	Unleased	0.047917%	0.0282
	William Arthur Kiser & Sylvia Kiser, H/W 421 Beauregard Drive Chesapeake, VA 23322	Unleased	0.047917%	0.0282
	Woodrow Childs, Widower Address Unknown	Unleased	0.047917%	0.0282
	Delphia Musick Ball, Widow P O Box 58 Davenport, VA 24239	Leased - EREC 244332L 30	0.034848%	0.0205
	Willard Wilson, Single Route 2 Box 332 Cleveland, VA 24225	Leased-EREC 244332L 12	0.034848%	0.0205
	Thurman Musick P O Box 1392 Lebanon, VA 24266	Leased-EREC 244332L 10	0.034848%	0.0205
	Betty Musick, Widow Route 2 Box 167 Cleveland, VA 24225	Leased-EREC 244332L 14	0.034848%	0.0205

TRACT	LESSOR	LEASE STATUS	INTEREST WITHIN UNIT	GROSS ACREAGE IN UNIT	
	Thelma Musick, Widow Address Unknown	Unleased	0.034848%	0.0205	
	Elwood Musick, Single 15177 Douglas Street Culpeper, VA 22701	Leased - EREC 244332L 31	0.034848%	0.0205	
	Ina Musick, Widow 667 Hunting Hill Road Piney Flats, TN 37686	Unleased	0.034848%	0.0205	
	Hubert Musick & Jo Anne Musick, H/W P. O. Box 202 Honaker, VA 24260	Leased-EREC 244332L 18	0.034848%	0.0205	
	Dorothy Johnson, Single Route 4 Box 177-B Lebanon, VA 24266	Leased-EREC 244332L 16	0.034848%	0.0205	
	Scarlet Baker & Henry Baker, W/H P. O. Box 2374 Lebanon, VA 24266	Leased-EREC 244332L 27	0.006970%	0.0041	
	Sparker Floyd Musick & Dolly Musick, H/W 17085 Brumley Gap Road Abingdon, VA 24210	Leased-EREC 244332L 28	0.006970%	0.0041	
	Raymond Musick & Patsy Musick, H/W Box 1245 Stewart, VA 24171	Unleased	0.006970%	0.0041	
	Samuel Musick & Linda Musick, H/W 1085 Bellamy Lane Portsmouth, OH 45663	Unleased	0.006970%	0.0041	==
	Patrick F. Musick 21105 Currie Warren, MI 48091	Leased-EREC 244332L 22	0.003485%	0.0021	
	Keith A. Musick 21105 Currie Warren, MI 48091	Leased-EREC 244332L 22	0.003485%	0.0021	
	Mildred Kendrick & Claude Kendrick, W/H Address Unknown	Unleased	0.005808%	0.0034	
	Edith Matson, Widow 5678 SR 133 Batavia, OH 45103	Unleased	0.005808%	0.0034	

TRACT	LESSOR	LEASE STATUS	INTEREST WITHIN UNIT	GROSS ACREAGE IN UNIT	
	Sally Musick, Widow Route 1 Box 710 Cleveland, VA 24225	Leased-EREC 244332L 17	0.005808%	0.0034	
	Cecil Musick & Irene Musick, H/W Route 2 Box 114 Cleveland, VA 24225	Leased-EREC 244332L 07	0.005808%	0.0034	
	James H. Musick & Annie Sea Musick, H/W Route 2 Box 76B Cleveland, VA 24225	Leased-EREC 244332L 08	0.005808%	0.0034	
	Fred Musick & Allie Musick, H/W Address Unknown	Unleased	0.005808%	0.0034	
	Velva Kiser Breeding & Clويد Breeding, W/H Route 1 Box 441 Cleveland, VA 24225	Leased-EREC 244332L 23	0.383333%	0.2256	
	Gladys Gilbert, Widow 8809 Portner Ave., Apt. #2 Manassas, VA 20110	Unleased	0.095833%	0.0564	
	Pauline Butler, Single 334 S. Rogers Street Aberdeen, MD 21001	Leased-EREC 244332L 05	0.095833%	0.0564	
	Pridemore Powers & Betty Powers, H/W 3255 Grand Avenue Abilene, TX 79675	Unleased	0.095833%	0.0564	
	Maynard Powers, Deceased Address Unknown	Unleased	0.095833%	0.0564	--
	Bertie Counts, Widow Box 51 Castlewood, VA 24224	Leased-EREC 244332L 24	0.076667%	0.0451	
	<u>Julie Kiser Heirs</u> Anita Conaway & Wayne Conaway, W/H HCR 01 Box 409 Birchleaf, VA 24225	Leased-EREC 244332L 19	0.038333%	0.0226	
	Donnie Kiser & Diann Kiser, H/W P. O. Box 72 Lawndale, NC 28090	Leased-EREC 244332L 26	0.038333%	0.0226	
	Maudie Stevens, Single HCR 01 Box 405 Birchleaf, VA 24225	Leased-EREC 244332L 20	0.076667%	0.0451	

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE</u>	<u>IN UNIT</u>
				<u>BOOK</u>	

Donald Kiser, Single Star Route Box 38 Cleveland, VA 24225	Leased-EREC 244332L 21	0.076667%	0.0451	
Vadie Blankenship & Edwin Blankenship, W/H 26934 Watauga Road Abingdon, VA 24211-7356	Unleased	0.076667%	0.0451	
Anne J. Campbell, Widow Route 1 Box 42 Cleveland, VA 24225	Leased-EREC 244332L 03	0.127778%	0.0752	
Delphia Combs, Widow General Delivery Cleveland, VA 24225	Leased-EREC 244332L 04	0.127778%	0.0751	
Inas Counts, Widow P. O. Box 2995 Lebanon, VA 24266-2995	Leased-EREC 244332L 02	0.127778%	0.0751	
Elsie Mae Kiser Counts, Widow Route 2 Box 70 Cleveland, VA 24225	Leased-EREC 244332L 25	0.38333400%	0.2256	2.3900
TOTAL GAS ESTATE		100.000000%	58.7700	
Percentage of Unit Leased		99.032787%		
Percentage of Unit Unleased		0.967213%		
Acreage in Unit Leased			58.2009	
Acreage in Unit Unleased			0.5691	

INTEREST BOOK 514 PAGE 115
GROSS ACREAGE
IN UNIT
BOOK 660 PAGE 0369

TRACT LESSOR LEASE STATUS

Coal Estate Only

1	Pittston Company c/o Clinchfield Coal Company Attn: Steve Smith P. O. Box 7 Dante, VA 24237	Leased-EPC 241640I T2-177	81.270000%	47.7600
2	Pittston Company c/o Clinchfield Coal Company Attn: Steve Smith P. O. Box 7 Dante, VA 24237	Leased-EPC 241490L T-483	8.760000%	5.1500
3	Pittston Company c/o Clinchfield Coal Company Attn: Steve Smith P. O. Box 7 Dante, VA 24237	Leased-EPC 241490L T-430	3.630000%	2.1300
4	Pittston Company c/o Clinchfield Coal Company Attn: Steve Smith P. O. Box 7 Dante, VA 24237	Leased-EPC 241640L T2-177	2.890000%	1.7000
5	Pittston Company c/o Clinchfield Coal Company Attn: Steve Smith P. O. Box 7 Dante, VA 24237	Leased-EPC 244792L TC-214	3.450000%	2.0300
 TOTAL COAL ESTATE			100.000000%	58.7700
Percentage of Unit Leased			100.000000%	
Percentage of Unit Unleased			0.000000%	
Acreage in Unit Leased				58.7700
Acreage in Unit Unleased				0.0000

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 9-7, 2000. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 4:11 o'clock P.M., after payment of \$ tax imposed by Sec. 58.1-802.

Original returned this date to: Diane Davis

TESTE: DOLLIE M. COMPTON, CLERK
BY: Jennifer Kendrich D. CLERK

VIRGINIA:

BOOK 000 PAGE 6370

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE: Application of Equitable Production Company, for Forced Pooling of Interests in Unit Number VC-1853 VGOB Docket No. VGOB-00/0516-0815 in the Castlewood Magisterial District of Russell County, Virginia.

AMENDED AFFIDAVIT OF WILHOIT & KAISER, Attorneys-at-Law, Agents for the Designated Operator REGARDING ELECTIONS, ESCROW ACCOUNTS AND SUPPLEMENTAL ORDER

James E. Kaiser (herein Affiant), being first duly sworn on oath, deposes and says:

1. That the Affiant is an attorney in the law firm of WILHOIT & KAISER, the Agent for the Designated Operator, with offices located at 220 Broad Street, Kingsport, Tennessee 37660, and is authorized to give this Affidavit in its behalf;
2. That the Order entered on September 7, 2000, by the Virginia Gas and Oil Board regarding the captioned coalbed methane Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by said Order;
3. That within seven (7) days of the receipt of an executed copy of the Order referred to at Paragraph 2. above, the Affiant was directed to cause a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who are added as Respondents at the hearing held in the captioned matter;
4. That the Order of the Virginia Gas and Oil Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date said Order was recorded in the county above named; that said Order was recorded on September 7, 2000.
5. That the Designated Operator, by and through their agent, Wilhoit & Kaiser, Attorneys-at-Law, have established procedures to review all mail received and all written documents received by means other than by mail to ascertain whether parties whose interest have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to Subject Unit; that the following persons delivered, by mail or otherwise, written elections to the Unit Operator, within the thirty day election periods:

<u>Tract</u>	<u>Name</u>	<u>Cash Consideration</u>
5	Raymond Musick & Patsy Musick, H/W	0.0041 Acres x \$5.00 = \$0.02

6. That the interest and/or claims of the following persons (who made timely elections, or who are deemed under the terms of the Board's Order to have leased, or who, subsequent to the pooling hearing held in the captioned matter, have leased or otherwise entered into an agreement with the Designated Operator) are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia; that opposite the name of each person named as a Respondent listed below is set forth:

<u>TRACT</u>	<u>LESSOR</u>	<u>NET REVENUE INTEREST</u>	
1			
Gas	Nancy E. Counts Estate	0.02539688	RI
Estate	c/o Mildred Miller		
	Tressa K. Patrick	0.00126984	RI
	Cecil L. Kiser & Julie A. Kiser	0.01269844	RI
	Wilma Johnson Porter & Dale C. Porter Jr.	0.00126984	RI
	Alice B. Keen	0.00634922	RI
	Leon Kiser & Janice Kiser	0.00507938	RI
	Gaynell Johnson Sampson & Carl Edward Sampson	0.00126984	RI
	Diana D. Kiser	0.01269844	RI
	Samuel J. Breeding & Betty Sue Breeding	0.00634922	RI
	Lillian B. Crane & Percy V. Crane	0.00634922	RI
	Edith K. Wockenfuss & David E. Wockenfuss	0.00507938	RI
	Freddy Johnson & Darlene Johnson	0.00126984	RI
	Sharon Dickson	0.00169313	RI
	Dorothy C. Kiser Attn: Larry Kiser	0.00507938	RI

	Ruby Marie Breeding Johnson & William C. Johnson	0.00211641	RI
	Blaine Owens & Robin M. Owens	0.00169312	RI
	Deborah L. Tomlinson & Terry L. Tomlinson	0.00211640	RI
	Larry D. Breeding & Kathy A. Breeding	0.00211640	RI
	Lana O. Duty & Sonny D. Duty	0.00169312	RI
	OR		
1 Coal Estate	Pittston Company c/o Clinchfield Coal Company Attn: Steve Smith P. O. Box 7 Dante, VA 24237	0.10158750	RI
5 Gas Estate	Nettie G. Kiser Wilson, Widow	0.00007986	RI
	Roland Delmer Kiser, Single	0.00007986	RI
	Ruby Ethel Kiser Estate	0.00007986	RI
	Kennie O'Dell Kiser & Thelma Kiser, H/W	0.00007986	RI
	Alma Simerly, Widow	0.00007986	RI
	Delphia Wilson & Roy Lee Wilson, W/H	0.00001141	RI
	Alden Wilson & Ella Wilson, H/W	0.00001141	RI
	Curtis Wilson & Connie Wilson, H/W	0.00001141	RI
	Lonnie Wilson & Pam Wilson, H/W	0.00001141	RI
	Giles Wilson & Charlotte Wilson, H/W	0.00001141	RI
	Johnny Lee Rosenbaum, Single	0.00000380	RI

Joe Canter Address Unknown	0.00000380	RI
Alicia Rosenbaum, single	0.00000380	RI
Wanda Loudermilk Jones	0.00000285	RI
Carolyn Rinehart & Richard Rinehart, W/H	0.00000285	RI
Sharon Jones & Bobby Jones, W/H Address Unknown	0.00000285	RI
Randall Head & Teresa A. Head, H/W	0.00000285	RI
Dallas Brooks Kiser, Single	0.00047917	RI
Ama Kiser Vance, Widow	0.00005990	RI
James Kiser & Christine Kiser, H/W	0.00005990	RI
Nellie Kiser Wells, Single Address Unknown	0.00005990	RI
Lila Elizabeth Kiser, Single	0.00005990	RI
Margaret Marie Kiser Heirs Address Unknown	0.00005990	RI
Elaine Craft Heirs Address Unknown	0.00005990	RI
William Arthur Kiser & Sylvia Kiser, H/W	0.00005990	RI
Woodrow Childs, Widower Address Unknown	0.00005990	RI
Delphia Musick Ball, Widow	0.00004356	RI
Willard Wilson, Single	0.00004356	RI
Thurman Musick	0.00004356	RI
Betty Musick, Widow	0.00004356	RI
Thelma Musick, Widow Address Unknown	0.00004356	RI

Elwood Musick, Single	0.00004356	RI
Ina Musick, Widow	0.00004356	RI
Hubert Musick & Jo Anne Musick, H/W	0.00004356	RI
Dorothy Johnson, Single	0.00004356	RI
Scarlet Baker & Henry Baker, W/H	0.00000871	RI
Sparker Floyd Musick & Dolly Musick, H/W	0.00000871	RI
Raymond Musick & Patsy Musick, H/W	0.00000871	RI
Samuel Musick & Linda Musick, H/W	0.00000871	RI
Patrick F. Musick	0.00000436	RI
Keith A. Musick	0.00000436	RI
Mildred Kendrick & Claude Kendrick, W/H Address Unknown	0.00000726	RI
Edith Matson, Widow	0.00000726	RI
Sally Musick, Widow	0.00000726	RI
Cecil Musick & Irene Musick, H/W	0.00000726	RI
James H. Musick & Annie Bea Musick, H/W	0.00000726	RI
Fred Musick & Allie Musick, H/W Address Unknown	0.00000726	RI
Velva Kiser Breeding & Clويد Breeding, W/H	0.00047917	RI
Gladys Gilbert, Widow	0.00011979	RI
Pauline Butler, Single	0.00011979	RI
Pridemore Powers & Betty Powers, H/W	0.00011979	RI

Maynard Powers, Deceased Address Unknown	0.00011979	RI
Bertie Counts, Widow	0.00009583	RI
<u>Julie Kiser Heirs</u> Anita Conaway & Wayne Conaway, W/H	0.00004792	RI
Donnie Kiser & Diann Kiser, H/W	0.00004792	RI
Maudie Stevens, Single	0.00009583	RI
Donald Kiser, Single	0.00009583	RI
Vadie Blankenship & Edwin Blankenship, W/H	0.00009583	RI
Anne J. Campbell, Widow	0.00015972	RI
Delphia Combs, Widow	0.00015972	RI
Inas Counts, Widow	0.00015972	RI
Elsie Mae Kiser Counts, Widow	0.00047917	RI

OR

5 Coal Estate	Pittston Company c/o Clinchfield Coal Company Attn: Steve Smith P. O. Box 7 Dante, VA 24237	0.00431250	RI
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7. That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator with regard to their interest and/or claims.

<u>Lessor's Name</u>	<u>Lease Number</u>
Alden & Ella Wilson	244332L33
Curtis & Connie Wilson	244332L34
Lonnie & Pam Wilson	244332L35
Wanda L. Jones	244332L40
Randall & Teresa Head	244332L43
Ina Musick	244332L53

8. That the following persons have not made a timely election and have failed to enter into an agreement with the Designated Operator and their respective interests shall be deemed to have leased pursuant to and in accordance with paragraph 10 of the Order.

<u>Tract</u>	<u>Name</u>	<u>Cash Consideration</u>
5	Roland Delmer Kiser	0.0376 Acres x \$5.00 = \$0.19
	Giles Wilson & Charlotte Wilson	0.0054 Acres x \$5.00 = \$0.03
	<u>Johnny Lee Rosenbaum</u>	<u>0.0018 Acres x \$5.00 = \$0.01</u>
	Joe Canter <i>Address Unknown</i>	0.0018 Acres x \$5.00 = \$0.01 <i>Subject to Escrow</i>
	Alicia Rosenbaum	0.0018 Acres x \$5.00 = \$0.01
	Carolyn Rinehart & <u>Richard Rinehart</u>	0.0013 Acres x \$5.00 = \$0.01
	Sharon Jones & <i>Bobby Jones</i> <i>Address Unknown</i>	0.0013 Acres x \$5.00 = \$0.01 <i>Subject to Escrow</i>
	Ama Kiser Vance	0.0282 Acres x \$5.00 = \$0.15
	James Kiser & <u>Christine Kiser</u>	0.0282 Acres x \$5.00 = \$0.15
	<u>Nellie Kiser Wells</u> <i>Address Unknown</i>	<u>0.0282 Acres x \$5.00 = \$0.15</u> <i>Subject to Escrow</i>
	Lila Elizabeth Kiser	0.0282 Acres x \$5.00 = \$0.15
	Margaret Marie Kiser Heirs <i>Address Unknown</i>	0.0282 Acres x \$5.00 = \$0.15 <i>Subject to Escrow</i>
	<i>Elaine Craft Heirs</i> <i>Address Unknown</i>	0.0282 Acres x \$5.00 = \$0.15 <i>Subject to Escrow</i>
	<i>William Arthur Kiser & Sylvia Kiser</i>	0.0282 Acres x \$5.00 = \$0.15
	<i>Woodrow Childs</i> <i>Address Unknown</i>	0.0282 Acres x \$5.00 = \$0.15 <i>Subject to Escrow</i>

<i>Thelma Musick</i> <i>Address Unknown</i>	0.0205 Acres x \$5.00 = \$0.11 <i>Subject to Escrow</i>
<i>Samuel Musick & Linda Musick</i>	0.0041 Acres x \$5.00 = \$0.02
<i>Mildred Kendrick & Claude Kendrick</i> <i>Address Unknown</i>	0.0034 Acres x \$5.00 = \$0.02 <i>Subject to Escrow</i>
<i>Edith Matson</i>	0.0034 Acres x \$5.00 = \$0.02
<i>Fred Musick & Allie Musick</i> <i>Address Unknown</i>	0.0034 Acres x \$5.00 = \$0.02 <i>Subject to Escrow</i>
<i>Gladys Gilbert</i>	0.0564 Acres x \$5.00 = \$0.28
<i>Pridemore Powers & Betty Powers</i>	0.0564 Acres x \$5.00 = \$0.28
<i>Maynard Powers</i> <i>Address Unknown</i>	0.0564 Acres x \$5.00 = \$0.28 <i>Subject to Escrow</i>
<i>Vadie Blankenship & Edwin Blankenship</i>	0.0451 Acres x \$5.00 = 0.23

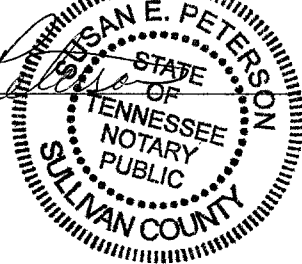
That pursuant to the provision of 4VAC 25-160.70C annexed hereto and incorporated herein is a proposed supplemental order to be entered to complete the record regarding elections; that said annexed supplemental order sets forth that the services of the Escrow Agent are required in this matter pursuant to the terms of §§ 45.1-361.21.D.

Dated at Kingsport, Tennessee, this 18th day of April 2006.

James E. Kriss
Affiant

Taken, subscribed and sworn to before me by James E. Kaiser, the Agent of Equitable Production Company, a corporation, on behalf of the corporation, this 18th day of April 2006.

Susan Peterson
Notary



My commission expires: 11-12-08

0603113

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 9-26, 2006. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 10:07 o'clock A M, after payment of \$ — tax imposed by Sec. 58.1-802.

Original returned this date to: Deane Davis

BY: Doellie M. Compton D. CLERK
TESTE: DOELLIE M. COMPTON, CLERK